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# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/452,328 | 11/30/1999 | SWAIN W. PORTER | 112076-138323 | 1160 |

25943          7590          02/05/2007
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| EXAMINER |
|---|
| LESNIEWSKI, VICTOR D |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2152 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|---|---|---|
| 3 MONTHS | 02/05/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

| Office Action Summary | Application No. | Applicant(s) |
|---|---|---|
| | 09/452,328 | PORTER, SWAIN W. |
| | Examiner | Art Unit |
| | Victor Lesniewski | 2152 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on *18 December 2006*.
2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-42* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

## DETAILED ACTION

1.      The amendment filed 12/18/2006 has been placed of record in the file.

2.      Claims 1-3, 6, 9, 10, 13, 15, 16, 18, 21, 25-27, 30-32, 35, 37, and 39-41 have been

amended.

3.      Claims 1-42 are now pending.

4.      The applicant's arguments with respect to claims 1-42 have been considered but are moot

in view of the following new grounds of rejection.

### Continued Examination Under 37 CFR 1.114

5.      A request for continued examination under 37 CFR 1.114 was filed in this application

after a decision by the Board of Patent Appeals and Interferences, but before the filing of a

Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil

action.  Since this application is eligible for continued examination under 37 CFR 1.114 and the

fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to

37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114.

The applicant's submission filed on 12/18/2006 has been entered.

### Claim Rejections - 35 USC § 103

6.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains.  Patentability shall not be negatived by the
> manner in which the invention was made.

7.      Claims 1-11, 18, 21, 22, 25-27, 30-32, 35-37, and 39-41 are rejected under 35 U.S.C.

103(a) as being unpatentable over Niemi (U.S. Patent Number 6,415,294) in view of Marchisio

(U.S. Patent Number 6,510,406).

8.      Niemi disclosed a method for retrieving an electronic file that utilizes keywords

identified in a downloaded page to introduce links into the page that appear as user selectable

items.  In an analogous art, Marchisio disclosed a method for retrieving an electronic file that

takes into consideration groups of conceptually related keywords when peforming a web search.

9.      Concerning claims 1, 18, 21, 25, 30, 35, and 39, Niemi did not explicitly state that the

identified information pages are selected based at least in part on second keywords determined to

be related to first keywords present in the first information page.  Although Niemi does teach

identifying other information pages based on keywords, he is not explicit in teaching second

keywords related to these keywords present in the first information page.  However, using

additional keywords related to the first keywords to identify other information pages was well

known in the art as evidenced by Marchisio whose system utilizes groups of conceptually related

keywords when peforming a web search.  It would have been obvious to one of ordinary skill in

the art at the time of the applicant's invention to modify the system of Niemi by adding the

ability to select the identified information pages based at least in part on second keywords

determined to be related to first keywords present in the first information page as provided by

Marchisio.  Here the combination satisfies the need for an electronic file retrieval system that

makes it easier for the user to locate information which is relevant to a current task.  See Niemi,

column 1, lines 12-21.  This rationale also applies to those dependent claims utilizing the same

combination.

10.     Thereby, the combination of Niemi and Marchisio discloses:

- <Claim 1>

  In a client system, an automated method for assisting a user of the client system in retrieving and browsing information, the method comprising: retrieving and displaying on a display of the client system for browsing, a first information page having first contents, responsive to user direction (Niemi, column 4, lines 2-16); and automatically assembling and augmenting the first information page being browsed with one or more information source identifiers directly identifying one or more information pages with second contents that may be additionally retrieved (Niemi, column 5, lines 8-17 and column 6, lines 33-40), the one or more directly identified information pages being selected based at least in part on second keywords determined to be related to first keywords present in the first information page (Marchisio, column 16, lines 38-58), and the second contents directly augmenting the first content (Niemi, column 6, lines 41-60 and column 7, lines 14-20).

- <Claim 2>

  The method of claim 1, wherein the method further comprises performing on said client system in real time, on retrieval of the first information page, analysis of the first information page to determine presence of said first keywords in the portion of the content of said first information page on which said automatic assembling and augmenting is based (Niemi, column 5, lines 8-17).

- <Claim 3>

  The method of claim 2, wherein said analysis comprises performing on said client system in real time, on retrieval of the first information page, scanning of said first information page for unique nouns presence, accessing a current table of keywords to determine if any of the unique nouns are to be considered as keywords, and outputting those unique nouns that should be so considered as the presence of first keywords (Niemi, column 4, line 21 through column 5, line 17).

- <Claim 4>

  The method of claim 3, wherein the method further comprises designating to a browser of the client system a first of a plurality of tables of keywords as the current table of keywords (Niemi, column 4, lines 49-53).

- <Claim 5>

  The method of claim 4, wherein the method further comprises loading/downloading said plurality of tables of keywords onto the client system (Niemi, column 4, lines 21-53).

- <Claim 6>

  The method of claim 3, wherein said analyzing further comprises performing on said client system in real time, on retrieval of the first information page, retrieval of the second keywords related to the presence of first keywords from one or more tables of related keywords, using said presence of first keywords (Marchisio, column 16, lines 44-52).

- <Claim 7>

  The method of claim 6, wherein said automatic assembling and augmenting comprises performing on said client system in real time, on retrieval of the first information page, retrieval of one or more information source identifiers identifying one or more information pages associated with the second keywords, from one or more information source tables, using said second keywords (Niemi, column 5, lines 8-17 and column 6, lines 33-40 and Marchisio, column 16, lines 38-58).

- <Claim 8>

  The method of claim 7, wherein the method further comprises loading/downloading said one or more tables of information sources onto the client system (Niemi, column 4, lines 54-60).

- <Claim 9>

  The method of claim 3, wherein said automatic assembling and augmenting comprises performing on the client system in real time, on retrieval of the information page, assembly of the one or more information source identifiers based at least in part on the presence of first keywords in said first information page (Niemi, column 5, lines 8-17 and column 6, lines 33-40).

- <Claim 10>

  The method of claim 1, wherein the method further comprises performing on the client system in real time, on retrieval of the information page, transmission to a server, which is not a source server of the first information page, a selected one of (a) a locator of the first information page identifying a third party location from where the first information

page is being retrieved, (b) a plurality of unique nouns of the first information page, (c) a

plurality of first keywords present in the first information page, and (d) a plurality of

second keywords related to the first keywords (Niemi, column 6, lines 41-60 and column

7, lines 14-20).

- <Claim 11>

The method of claim 1, wherein said first information page is an information page

constituted using a mark-up language (Niemi, column 3, lines 52-64).

- <Claim 18>

In a server system, an automated method for facilitating provision of assistance to a user

of a networked client system to retrieve and browse information, the method comprising:

receiving from said client system in real time, on retrieval from a third party location by

the client system a first information page to be browsed on the client system (Niemi,

column 4, lines 2-16), first keywords related to presence of second keywords in the first

information page, where at least the second keywords present in the first information

page are dynamically determined by the client system in real time on retrieval of the first

information page (Niemi, column 5, lines 8-17 and Marchisio, column 16, lines 38-58);

and in response, providing to said client system a plurality of information source

identifiers identifying a plurality of information pages that may be additionally retrieved

(Niemi, column 6, lines 33-40), based at least in part on said received related first

keywords to enable the first information page to be automatically augmented on the client

system with information source identifiers identifying information pages based on the

related first keywords (Niemi, column 6, lines 41-60 and column 7, lines 14-20).

- <Claim 21>

  In a server system, an automated method for facilitating provision of assistance to a user

  of a networked client system to retrieve and browse information, the method comprising:

  receiving from said client system in real time, on retrieval from a third party location by

  the client system a first information page having first content to be browsed on the client

  system (Niemi, column 4, lines 2-16), presence of first keywords in the first information

  page, where presence of the first keywords of the first information page are dynamically

  determined in real time by the client system on retrieval of the first information page

  (Niemi, column 5, lines 8-17); and in response, providing to said client system a plurality

  of information source identifiers directly identifying a plurality of information pages with

  second contents that may be additionally retrieved, based at least in part on second

  keywords related to the first keywords (Niemi, column 6, lines 33-40 and Marchisio,

  column 16, lines 38-58), the second contents directly augmenting the first contents

  (Niemi, column 6, lines 41-60 and column 7, lines 14-20).

- <Claim 22>

  The method of claim 21, wherein the method further comprises dynamically determining

  related second keywords of said presence ones of first keywords; and said providing of

  information source identifiers to said client system is made based at least in part on said

  dynamically determined related second keywords (Marchisio, column 16, lines 44-52).

- <Claim 25>

  In a server system, an automated method for facilitating provision of assistance to a user

  of a networked client system to retrieve and browse information, the method comprising:

receiving from said client system in real time, on retrieval from a third party location by a

client system a first information page with first contents to be browsed on the client

system (Niemi, column 4, lines 2-16), unique nouns of the first information page, where

the unique nouns are dynamically determined in real time by the client system on

retrieval of the first information page (Niemi, column 5, lines 8-17); and in response,

providing to said client system a plurality of information source identifiers directly

identifying a plurality of information pages with second contents that may be additionally

retrieved (Niemi, column 6, lines 33-40), based at least in part on second keywords

related to first keywords present in the first information page (Marchisio, column 16,

lines 38-58), the second contents directly augmenting the first contents (Niemi, column 6,

lines 41-60 and column 7, lines 14-20).

- <Claim 26>

The method of claim 25, wherein the method further comprises dynamically determining

the first keywords present in said first information page using said received unique nouns

(Niemi, column 5, lines 8-17).

- <Claim 27>

The method of claim 26, wherein the method further comprises dynamically determining

the related second keywords of said presence of first keywords (Marchisio, column 16,

lines 44-52).

- <Claim 30>

In a server system, an automated method for facilitating provision of assistance to a user

of a networked client system to retrieve and browse information, the method comprising:

receiving in real time from said client system, on retrieval from a third party location by

the client system a first information page to be browsed on the client system, a locator of

the first information page identifying the third party location (Niemi, column 4, lines 2-

16); and providing to said client system a plurality of information source identifiers

identifying a plurality of information pages that may be additionally retrieved (Niemi,

column 6, lines 33-40), based at least in part on second keywords related to first

keywords present in the first information page (Niemi, column 5, lines 8-17 and

Marchisio, column 16, lines 38-58).

- <Claim 31>

The method of claim 30, wherein the method further comprises retrieving said first

information page and dynamically analyzing the retrieved first information page in real

time to determine presence of first keywords in said information page (Niemi, column 5,

lines 8-17).

- <Claim 32>

The method of claim 31, wherein the method further comprises dynamically determining

the related second keywords of said presence of first keywords (Marchisio, column 16,

lines 44-52).

- <Claim 35>

A client system comprising: a display (Niemi, figure 1, item 6); a browser to facilitate

augmented viewing of a first retrieved information page having first contents (Niemi,

figure 1, item 5 and column 4, lines 2-16), including an analyzer equipped to dynamically

and automatically assemble a plurality of information source identifiers directly

identifying a plurality of information pages with second contents that may be additionally

retrieved, based at least in part on a portion of said content of the first retrieved

information page, the second contents directly augmenting said first contents (Niemi,

column 5, lines 8-17; column 6, lines 33-60; and column 7, lines 14-20); and an

information source database having a plurality of first keywords and a plurality of second

keywords related to the plurality of first keywords (Marchisio, column 16, lines 38-58).

- <Claim 36>

The client system of claim 35, wherein the analyzer further comprises a lexical analyzer

to facilitate determination in real time unique nouns in said first retrieved information

page being browsed (Niemi, column 5, lines 8-17).

- <Claim 37>

The client system of claim 35, wherein the information source database includes a

plurality of information source identifiers associated with the keywords (Marchisio,

column 16, lines 38-58).

- <Claim 39>

A server system comprising: a network interface to couple the server system to a network

(Niemi, figure 1, item 2); programming instructions and an information source database

having a first plurality of keywords, a second plurality of keywords related to the first

plurality of keywords, and a plurality of associated information source identifiers of the

first keywords, directly identifying a plurality of information pages with first contents

that may be additionally retrieved (Niemi, column 4, lines 21-60 and Marchisio, column

16, lines 38-59), to facilitate automatic augmented provision of dynamically assembled

information source identifiers by a browser of a coupled client system, based at least in

part on a portion of a first information page with second content retrieved from a third

party location for browsing on said client system, the first contents directly augmenting

the second contents (Niemi, column 5, lines 8-17; column 6, lines 33-60; and column 7,

lines 14-20).

- \<Claim 40\>

  The server system of claim 39, wherein the server system further comprises a keyword

  database, having said second plurality of keywords and said first plurality of keywords,

  the first and second keywords being related, to facilitate determination of related second

  keywords of presence of first keywords in the first retrieved information page (Marchisio,

  column 16, lines 38-58).

- \<Claim 41\>

  The server system of claim 39, wherein the programming instructions implement a

  lexical analyzer to facilitate determination of unique nouns in said first retrieved

  information page being browsed, for use in determining presence of said first keywords

  in said first retrieved information page being browsed (Niemi, column 5, lines 8-17).

Since the combination of Niemi and Marchisio discloses all of the above limitations, claims 1-

11, 18, 21, 22, 25-27, 30-32, 35-37, and 39-41 are rejected.

11.    Claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 are rejected under 35 U.S.C.

103(a) as being unpatentable over Niemi in view of Marchisio, as applied above, further in view

of Finseth et al. (U.S. Patent Number 6,271,840), hereinafter referred to as Finseth.

12.    The combination of Niemi and Marchisio disclosed a method for retrieving an electronic

file that utilizes keywords identified in a downloaded page to introduce links into the page that

appear as user selectable items. In an analogous art, Finseth disclosed a search engine visual

index method that provides graphical output from search engine results or other URL lists.

13.    Concerning claim 15 and like dependent claims, the combination of Niemi and Marchisio

did not explicitly state presenting a thumbnail of a second information page corresponding to a

first of the identified information pages. However, Finseth does state this feature as his system

creates rendered images of additional information pages that correspond to a first page. It would

have been obvious to one of ordinary skill in the art at the time of the applicant's invention to

modify the combination of Niemi and Marchisio by adding the ability to present a thumbnail of a

second information page corresponding to a first of the identified information pages as provided

by Finseth. Here the combination satisfies the need for an electronic file retrieval system that

makes it easier for the user to locate information which is relevant to a current task. See Niemi,

column 1, lines 12-21. This rationale also applies to those dependent claims utilizing the same

combination.

14.    Thereby, the combination of Niemi, Marchisio, and Finseth discloses:

- <Claim 12>

  The method of claim 1, wherein the method further comprises displaying on said display

  a selected one of (a second information page corresponding to a first of the additional

  information pages, and a thumbnail of the second information page) (Finseth, figure 7,

  item 142 and column 5, lines 32-52).

- <Claim 13>

  The method of claim 12, wherein said displaying of a thumbnail comprises performing on said client system in real time, on retrieval of the first information page, a selected one of (a) retrieving said thumbnail and (b) retrieving said second information page and dithering said retrieved second information page to form said thumbnail (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 14>

  The method of claim 12, wherein said displaying of a thumbnail is made responsive to proximate placement of a cursor next to a first information source identifier corresponding to said second information page (Finseth, column 8, lines 46-55).

- <Claim 15>

  In a client system, an automated method for assisting a user of the client system to retrieve and browse information, the method comprising: retrieving and displaying on a display of the client system for browsing, a first information page having content, responsive to user direction (Niemi, column 4, lines 2-16); performing on said client system in real time, on retrieval of the first information page, analysis of the first information page to determine presence of first keywords in at least a portion of the content of said first information page (Niemi, column 5, lines 8-17), and retrieval of second keywords related to the presence of first keywords (Marchisio, column 16, lines 38-58); automatically assembling and augmenting the first information page being browsed with one or more information source identifiers identifying one or more information pages that may be additionally retrieved, based at least in part on the

automatically determined presence of first keywords in said portion of the content of said

first information page, and said second keywords (Niemi, column 6, lines 33-40); and

presenting on the display, responsive to a user event, a thumbnail of a second information

page corresponding to a first of the identified information pages (Finseth, figure 7, item

142 and column 5, lines 32-52).

- <Claim 16>

The method of claim 15, wherein said presenting of the thumbnail comprises performing

on the client system in real time, a selected one of (a) retrieving said thumbnail and (b)

retrieving said second information page, and dithering said retrieved second information

page to form said thumbnail (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 17>

The method of claim 15, wherein said presenting of the thumbnail is made responsive to

proximate placement of a cursor next to a first information source identifier

corresponding to the second information page (Finseth, column 8, lines 46-55).

- <Claim 19>

The method of claim 18, wherein the method further comprises providing to said client

system a thumbnail of a second information page corresponding to a first of said

information source identifiers (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 20>

The method of claim 19, wherein the method further comprises retrieving said second

information page and dithering said second information page to form said thumbnail

(Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 23>

    The method of claim 21, wherein the method further comprises providing to said client

    system a thumbnail of a second information page corresponding to a first of said

    information source identifiers (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 24>

    The method of claim 23, wherein the method further comprises retrieving said second

    information page and dithering said second information page to form said thumbnail

    (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 28>

    The method of claim 25, wherein the method further comprises providing to said client

    system a thumbnail of a second information page corresponding to a first of said

    information source identifiers (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 29>

    The method of claim 28, wherein the method further comprises retrieving said second

    information page and dithering said second information page to form said thumbnail

    (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 33>

    The method of claim 30, wherein the method further comprises providing to said client

    system a thumbnail of a second information page corresponding to a first of said

    information source identifiers (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 34>

  The method of claim 33, wherein the method further comprises retrieving said second information page and dithering said second information page to form said thumbnail (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 38>

  The client system of claim 35, wherein the client system further comprises a dithering module to dither a second information page retrieved to augment the first retrieved information page, to generate a thumbnail of the second retrieved information page (Finseth, figure 7, item 142 and column 5, lines 32-52).

- <Claim 42>

  The server system of claim 39, wherein the programming instructions implement a dithering module to dither a second retrieved information page retrieved to augment the first retrieved information page to generate a thumbnail of the second retrieved information page (Finseth, figure 7, item 142 and column 5, lines 32-52).

Since the combination of Niemi, Marchisio, and Finseth discloses all of the above limitations, claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 are rejected.

## Conclusion

15.     Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.
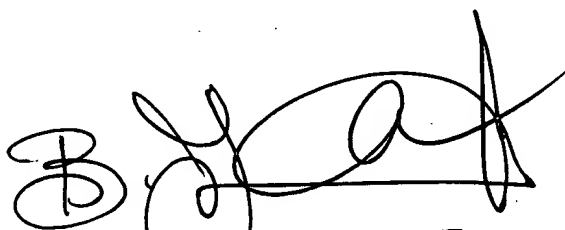
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Victor Lesniewski
Patent Examiner
Group Art Unit 2152

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER